

REMARKS/ARGUMENTS

The above Amendments and these Remarks are in reply to the Final Office Action mailed December 5, 2006.

I. Summary of Examiner's Rejections

Prior to the Final Office Action mailed December 5, 2006, Claims 1, 2, 4-7, 9, 10, 12-14, 16-18, 20-22, 24-28, and 30-33 were pending in the Application. In the Final Office Action, Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, and 24-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al., in view of U.S. Patent No. 5,894,333 to Kanda et al. Claims 30-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17, and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

II. Summary of Applicants' Amendments

The present Response amends Claims 1, 9, 17, 25, and 30-33, leaving for the Examiner's present consideration Claims 1, 2, 4-7, 9, 10, 12-14, 16-18, 20-22, 24-28, and 30-33. Reconsideration of the Application and of the claims in light of the following arguments is respectfully requested.

III. Claims Rejected under 35 U.S.C. §103(a)

Claims 1-2, 4-7, 9-10, 12-14, 16-18, 20-22, and 24-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,101,506 to Ukai et al., in view of U.S. Patent No. 5,894,333 to Kanda et al.

Claim 1

Claim 1 has been amended by the present Response to more clearly define the embodiment of the invention therein. As amended, claim 1 defines:

1. (Currently amended) A method of organizing a plurality of objects, comprising the steps of:
 - receiving user selections of multiple objects from the plurality of objects;
 - creating one or more groups from the multiple objects;

designating a representative object for each of the groups;
searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, returning the representative object of any group of which the particular object is a member; and
displaying the returned representative objects of the groups.

Claim 1 has been amended to more clearly define creating one or more groups from the multiple objects and designating a representative object for each of the groups. Claim 1 has been further amended to more clearly define searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, *returning the representative object* of any group of which the particular object is a member, and displaying the returned representative objects of the groups.

Ukai

Ukai discloses a method and system for managing files by version. Files having a same name and different versions are included in one group. For example, these files are identified by versions such as "Vol.," "No.," or "Ver." Each file group is represented by a representative image. This representative "image," however, shows a *title and/or version of the file*, not the file itself. For example, Fig. 1 shows that the representative images 116A-D indicate titles and versions "Hitachi Catalog Vol. 5," "Video No. 1," "Wear, Summer Issue 1996," and "1996," respectively. When the representative image is designated or pointed to by a user, a predetermined file in the relevant group is executed, at which point the contents of the electronic file are then displayed. (col. 1, lines 35-45; col. 2, lines 11-55; col. 8, lines 18-21 and 24-26).

Regarding searching, Fig. 21 of Ukai shows an example of a file search window. The range of search can be limited to the representative files with a view to reduce the time taken for the search. On Fig. 21, the user selects either buttons "All File" search or "Representative File" search. For a representative file search, files having the file name entered by the user, for example "Catalog," are retrieved from the representative files. In this example, "Hitachi Catalog Vol. 5" and "H & H Catalog" have been hit. (col. 20, lines 43-45, 49-53; col. 21, lines 31-34; Fig. 21).

In a telephone interview with the Examiner on May 31, 2007, the Examiner discussed the possibility that Ukai in Fig. 21 anticipates *searching and displaying* elements required by claim 1. In light of the amendments to claim 1, the Applicants respectfully disagree. Ukai discloses

searching the representative files with a search parameter such as a file name, then returning and displaying all files that have been "hit." Claim 1, on the other hand, has been amended to more clearly define searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, returning the representative object of any group of which the particular object is a member, then displaying the returned representative objects. Searching representative files and returning/displaying all hits, as disclosed in Ukai, is not the same as searching all objects and returning/displaying representative objects, as required by claim 1.

In the Office Action, it was stated that Ukai discloses a representative object. Ukai discloses a representative image that shows title and/or version of the file, not the file itself. Claim 1 requires designating a representative object of the group, as well as displaying representative objects. The representative "image" as disclosed in Ukai is not the same as the representative object required in claim 1.

As such, Applicants respectfully submit that Ukai does not disclose designating *a representative object for each of the groups*; searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, *returning the representative object* of any group of which the particular object is a member; and displaying the returned representative objects of the groups, as required by claim 1. For at least these reasons, claim 1 is neither anticipated by, nor obvious in view of Ukai, and reconsideration thereof is respectfully requested.

Kanda

Claim 1 has been amended to more clearly define searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, *returning the representative object* of any group of which the particular object is a member, and displaying the returned representative objects of the groups. It was stated in the Office Action that Ukai does not explicitly disclose this element of claim 1 but that Kanda discloses this element of claim 1.

Kanda discloses a representative image display method for video images. In Fig. 6, each scene display area 156 displays the representative image of that scene and a scene partition data display area 158 displays each scene's start point (start time) and end point (end time). (col. 7, lines 26-32). The user first selects a scene. For example, in Fig. 14, the topmost scene is selected. Next, the specified time is entered, for example, through a keyboard, and the "current

time" in Fig. 14 is initialized with the specified time. In the figure, the allowable input is in the range of scene start time 00:00:00:00 to end time 00:02:04:20. In the example of Fig. 14, the time 00:01:02:28 is specified. The user can use playback button 153 to playback the motion image for the selected scene and a stop button 154 stop the motion image being played back. (col. 7, lines 21-23; col. 9, lines 29-30 and 36-41).

In Kanda, the *plurality of objects* is images from scenes, such as the three separate scenes shown in Fig. 14. Each scene is a group of images (*group of objects*), and the representative image is the image representing the "group." In Kanda, however, the user first selects a scene. From the scene (group) the user enters a designated time (*search parameter*). Kanda discloses that the user performs a search on one scene (group), not a search on images from all of the scenes (*plurality of objects*). Thus, performing a search on one group in *plurality of objects*, as disclosed in Kanda, is not the same as searching the *plurality of objects*, as required by claim 1.

On page 10 of the Office Action, it was stated that Kanda discloses that the user can enter different level of brightness according to preset times as a *search parameter* in order to retrieve desired results. Applicants respectfully disagree. In Kanda, motion description images (display 157 of Fig. 14) having differing levels of brightness according to preset times are created by superimposing outline images while varying the color of the outline image. (col. 10, lines 13-16; col. 8, lines 41-44). Changing the display of motion description images using differing levels of brightness is not the same as entering a different level of brightness as a search parameter. Thus, the user-entered level of brightness as disclosed in Kanda is not the same as a search parameter, as required by claim 1.

Further, on page 10 of the Office Action, it was stated that Kanda discloses that the user can use characters such as "right" and "up," or symbols such as "→" and "↑" as *search parameters* in order to retrieve desired results. Applicants respectfully disagree. In Kanda, instead of using a motion description image (display 157 of Fig. 14), the direction of movement of the subject can be expressed using "right" and "up," or symbols such as "→" and "↑". (col. 8, lines 22-25). These characters are used in the display of the motion description image and are not characters or symbols used as search parameters by a user. Thus, these characters and symbols as disclosed in Kanda are not the same as a search parameter, as required by claim 1.

As such, Applicants respectfully submit that neither Ukai nor Kanda disclose searching the plurality of objects using a search parameter, and if a particular object meets the search parameter, *returning the representative object* of any group of which the particular object is a member; and displaying the returned representative objects of the groups, as required by claim 1. Applicants respectfully submit that for at least these reasons, claim 1 is neither anticipated by, nor obvious in view of Ukai or Kanda, taken alone or in combination, and respectfully request reconsideration of this claim.

Claims 9, 17, and 25

The comments provided above with respect to Claim 1 are hereby incorporated by reference. Claims 9, 17, and 25 have been similarly amended to more clearly define the embodiments of the invention therein. Applicants respectfully submit that the embodiments defined by claims 9, 17, and 25 are similarly neither anticipated by, nor obvious in view of Ukai or Kanda, taken alone or in combination, and respectfully request reconsideration of these claims.

Claims 2, 10, and 18

Claims 2, 10, and 18 require that an object may be part of more than one group. Ukai discloses a method and system for managing files by version. Four example types of files (objects) are albums, games, documents, and catalogs, as shown in Fig. 2. An example file case, such as the Hitachi Catalog, has example file versions Vol. 1 through Vol. 5 (Fig. 4). In the Office Action, it was stated that an object [a particular photograph (file) for example] may be part of more than one group [may be in both a catalog and an album, or even in two different catalogs for example]. (Ukai, Figs. 1-4). Since one purpose of the system disclosed in Ukai is to *manage files by version*, it is unlikely that a version of one catalog file, for example, will also be a version of another catalog file. For example, it is unlikely that a duplicate of any of the Hitachi catalog Vols. 1-5 will be stored under the other catalogs. Another purpose of the system disclosed in Ukai is to *manage files by file type*. Thus, for a photograph file stored under albums, for example, it is unlikely that the photograph file would also be stored with a different type of files, such as catalogs.

In the Office Action, it was also stated that an object [Hitachi Catalog Vol. 3] may be part of [linked into (35)] more than one group [Hitachi Catalog and Hitachi Catalog 2]. (Ukai, Fig. 4). Ukai discloses that a plurality of files can be created on the basis of a given document file, meaning that there can be multiple sub-versions for one version of a file. A link-destination file name, or pointer, is used to manage these sub-versions of a file. In the Hitachi Catalog example, for the file labeled "Hitachi Catalog" and the version name "Vol. 3" the link-destination is "Hitachi Catalog 2," which means that a series of files having the file name "Hitachi Catalog 2" are derived from "Hitachi Catalog, Vol. 3." (Ukai, col. 11, lines 39-49). This series of files might be named Vols. 3.1, 3.2, 3.3, etc., for example. Because the series of files in "Hitachi Catalog 2" are separate from the "Hitachi Catalog files," "Vol. 3" is part of "Hitachi Catalog," but is not, however, part of "Hitachi Catalog 2."

Thus, Ukai does not disclose that an object (file) may be part of more than one group, as required by claims 2, 10, and 18. For at least this reason, claims 2, 10, and 18 are neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 6, 14, 22, and 27

These claims require that the objects of the group may be viewed by selecting the representative. Ukai discloses that a user clicks the file-case knob 114 of the file case 112 with the mouse, and the file-case door 113 is opened. This file-case knob is separate from the representative image 116 in Fig. 7A. In Fig. 7B, a file group 117 for the back numbers is displayed within the file case 112 (col. 12, 20-21, 27-28, 34-35, Figs. 1 and 7).

Although in Ukai the file group (objects) in the file case (group) may be viewed by selecting the file-case knob, the file-case knob 114 is different than representative image 116. Thus, Ukai does not disclose that the objects of the group may be viewed by selecting the representative, as required by claims 6, 14, 22, and 27. For at least this reason, claims 6, 14, 22, and 27 are neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 4, 5, 7, 12, 13, 16, 20, 21, 24, 26, and 28

Claims 4, 5, 7, 12, 13, 16, 20, 21, 24, 26, and 28 are not addressed separately, but it is respectfully submitted that these claims are allowable in view of the comments provided above. Applicants respectfully submit that these claims are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

Claims 30-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ukai in view of Kanda as applied to claims 1, 9, 17 and 25 above, and further in view of U.S. Patent No. 6,238,106 to Rosati.

Claims 30-33

Claims 30-33 have been amended to require that the step of designating a representative is performed by designating the first object selected during the *step of receiving user selections of multiple objects from the plurality of objects*. These amendments have been made to correct antecedent basis problems. Applicants respectfully submit that no new matter is being added to these claims.

Claims 30-33 are not addressed separately, but it is respectfully submitted that these claims are allowable in view of the comments provided above. Applicants respectfully submit that Claims 30-33 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicants respectfully reserve the right to argue these limitations should it become necessary in the future.

IV. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is respectfully

JUN 05 2007


requested. The Examiner is respectfully requested to telephone the undersigned before an advisory action is issued in order to avoid any unnecessary filing of an appeal.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for the time to respond up to and including June 5, 2007.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: June 5, 2007


By: Thomas A. Ward
Reg. No. 35,732

FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Customer No. 23910